

October 7, 2002

MEMORANDUM TO: James W. Andersen, Acting Chief, Section 2
Project Directorate I
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

FROM: Victor Nerses, Sr. Project Manager **/RA/**
Project Directorate I, Section 2
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

SUBJECT: MILLSTONE POWER STATION, UNIT NO. 3, FACSIMILE
TRANSMISSION, DRAFT REQUEST FOR ADDITIONAL INFORMATION
(RAI) TO BE DISCUSSED IN AN UPCOMING CONFERENCE CALL
(TAC NO. MB6212)

The attached draft RAI was transmitted by facsimile on October 7, 2002, to Mr. Ravi Joshi, Dominion Nuclear Connecticut, Inc. (DNC). This draft RAI was transmitted to facilitate an upcoming conference call in order to clarify certain items in the licensee's application dated August 14, 2002, regarding containment isolation valves. Review of the RAI would allow DNC to determine and agree upon a schedule to respond to the RAI. This memorandum and the attachment do not convey a formal request for information or represent an NRC staff position.

Docket No. 50-423

Enclosure: Draft Request for Additional Information

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DRAFT

REQUEST FOR ADDITIONAL INFORMATION

MILLSTONE POWER STATION, UNIT NO. 3

(TAC NO. MB6212)

1.0 Definition

- 1.0-1 CTS 1.7.a.1)
PTS 1.7.a.1) and associated* footnote
ISTS B3.3.2 Bases - Applicable Safety Analyses, LCO, and Applicability

Current Technical Specification (CTS) 1.7.a.1) has been modified to Proposed Technical Specification (PTS) 1.7.a.1) by the deletion of the allowance to administratively open automatic containment isolation valves (CIV) and the addition of an * footnote. See RAI numbers 1.0.-2, 3/4.6-1, 3/4.6-3 and 3/4.6-4 for concerns with regard to allowance to open CIVs under administrative controls. The * footnote to PTS 1.7.a.1 states the following: "In MODE 4, the requirement for an OPERABLE containment isolation valve system is satisfied by use of the containment isolation actuation pushbuttons." The staff believes that this is not the appropriate location for this footnote and that it is not entirely correct. The statement describes one aspect of containment automatic isolation valve system OPERABILITY. CTS 1.7 defines what constitutes containment integrity and does not discuss what constitutes the OPERABILITY characteristics of each component associated with containment integrity. The staff believes that this OPERABILITY description of more appropriate to

CTS 3/4.3.2 "Engineered Safety Features Actuation System Instrumentation" either as a footnote to Table 3.3-3 or in the associated Bases. In addition, the footnote gives an incomplete description of what needs to be OPERABLE in MODE 4. Based on the footnote only, the manual initiation portion of the system needs to be OPERABLE, whereas the automatic actuation logic and actuation relays also need to be OPERABLE in MODE 4 for the system to function properly. The footnote should be modified to reflect this characteristic. Words similar to those contained in the Improved Standard Technical Specification (ISTS) Bases to NUREG - 1431, "Standard Technical Specification - Westinghouse Plants" ISTS B3.3.2 "Applicable Safety Analyses, LCO, and Applicability" Item 3.a.(2) or 3.b.(2) should be used. **RAI:** Revise the submittal to reflect the above discussion, and provide the appropriate discussions and justifications for these changes.

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- 1.0-2 CTS 1.7.a
PTS 1.7.a

CTS 1.7.a has been modified to PTS 1.7.a by the deletion of the reference to operator action and the reference to CTS 4.6.1.1.a for administrative controls from CTS 1.7.a.1) and the addition of the allowance to open manual valves, blind flanges and deactivated automatic valves under administrative control to CTS 1.7.a.2). The justification for both of these changes in the August 14, 2002, submittal (Attachment 1- technical specification

change discussion (TSC) 2 and 3) states that these changes are administrative changes since there is no reduction in requirements. This is incorrect. The changes are Less Restrictive (L) changes. See RAI numbers 3/4.6-1, 3/4.6-3, and 3/4.6-4 for additional concerns and details with this overall change. **RAI:** Provide a discussion and justification for these Less Restrictive (L) changes. See RAI numbers 3/4.6-1.

3/4.6 Containment Systems

3/4.6-1 CTS 4.6.1.1.a
 PTS 4.6.1.1.a
 PTS 3/4.6.3

CTS 4.6.1.1.a has been modified to PTS 4.6.1.1.a by the deletion of the reference to operator action and modifying the reference to allow administrative control for opening CIVs to specifically refer to PTS 3/4.6.3. The justification for this change in Attachment 1 TSC 4 states that the change is an administrative change since there is no reduction in requirements. This is incorrect. The change is a Less Restrictive (L) change. See RAI numbers 1.0-2, 3/4.6-3 and 3/4.6-4 for additional details on this concern. **RAI:** Provide a discussion and justification for this Less Restrictive (L) change. See RAI number 1.0-2, 3/4.6-3 and 3/4.6-4.

3/4.6-2 CTS 4.6.1.1.a
 PTS 4.6.1.1.a and Associated Footnote 2

CTS 4.6.1.1.a is modified by the addition of PTS 4.6.1.1.a footnote 2. PTS 4.6.1.1.a footnote 2 is the same note that was added to CTS 1.7.a.1). No justification was provided for this change in Attachment 1 TSC 5. The discussion provided in RAI number 1.0-1 also applies here. **RAI:** See RAI 1.0-1.

3/4.6-3 CTS 4.6.1.1.a and associated ** footnote
 PTS 4.6.1.1.a and Associated Bases

The ** footnote associated with CTS 4.6.1.1.a specifies which CIVs may be opened on an intermittent basis under administrative controls. PTS 4.6.1.1.a does not have this footnote. Attachment 1 TSC 5 states that "The content of the original footnote will be relocated to the Bases section for Technical Specification 3.6.3." The justification for this change is consistency with generic letter (GL) 91-08 and not a reduction in requirements. Consistency with a generic letter is not an adequate justification for relocating this item to this Bases. In addition, the change is a reduction in requirement and thus, is a Less Restrictive (L) change. See RAI numbers 1.0-2, 3/4.6-1, and 3/4.6-4 for additional concerns and details in this area. **RAI:** Provide a discussion and justification for this relocation. See RAI numbers 1.0-2, 3/4.6-1, and 3/4.6-4.

3/4.6-4 CTS 1.7.a.1)

CTS 4.6.1.1.a and associated ** footnote
CTS 3.6.3
PTS 1.7.a
PTS 3.6.3, associated footnote 2 and Associated Bases

CTS 3.6.3 is modified by the addition of PTS 3.6.3 associated footnote 2 which states that "Containment Isolation Valves may be opened on an intermittent basis under administrative controls." The justification provided for this change in Attachment 1 TSC 7 states the following: "This is consistent with considerations in Generic Letter 91-08 that were applicable to the removal of the component listing of CIVs from the Technical Specifications. This change is also clarifying and not a reduction in requirements. This change will not create new or different administrative controls for containment isolation valves."

This justification is unacceptable. Consistency with a GL is not an acceptable justification for making a change. Furthermore, this change is not consistent with the guidelines of GL 91-08, it involves an expansion of the TS requirements and it creates new administrative controls for containment isolation valves.

CTS 1.7.a.1) and ** footnote to CTS 4.6.1.1.a specifies and limits which CIVs may be opened on an intermittent basis under administrative control. Footnote 2 to PTS 3.6.3 would allow any closed CIV (manual, automatic, de-activated automatic, etc.) regardless of whether it is closed during normal operation or closed as a result of CTS/PTS 3.6.3 Actions to be opened intermittently under administrative controls. This change expands the number of CIVs allowed to be opened intermittently (expansion of TS requirements) and adds the administrative controls to these valves (new administrative control for CIVs) which were not allowed to be opened before. Thus this portion of the change is a Less Restrictive (L) change.

GL 91-08 allows the list of CIVs to be removed from TS, but there are some restrictions. GL 91-08 states that "The list of containment isolation valves typically includes footnotes that modify the TS requirements for these valves. Such notes must be incorporated into the associated LCO so that they will remain in effect..." . The GL gives examples of such footnotes and how they can be addressed in the TS, to maintain the scope and limits of the note. The proposed change greatly expands the scope and limits of the CTS without proper justification. In addition, the GL states that the "Component lists should not be included in the Bases Section because the Bases Section lacks an appropriate regulatory process for change control." The proposed change relocates the list of CIVs that can be opened to the Base Section of CTS 3.6.3. Thus the proposed change is inconsistent with the guideline of GL 91-08.

In order to maintain the current requirements, the ** Footnote to CTS 4.6.1.1.a must be retained in the TS either in CTS 4.6.1.1.a or CTS 3.6.3 or appropriate justifications need to be provided for the proposed change which expands the existing requirements. **RAI:** Revise the submittal and provide the appropriate discussions and justification in accordance with the above discussion.

PTS 3.6.3 Action

CTS 3.6.3 Action has been modified to PTS 3.6.3 Action by the deletion of the words “maintain at least one isolation valve OPERABLE in each affected penetration that is open and:” and replacing the words with the word “either:.” The justification in Attachment 1 TSC 9 states that the change is a clarification, since the deleted text to maintain at least one isolation valve OPERABLE would not be applicable to affected penetrations with only one CIV and a closed system, or applications that conform to 10 CFR 50, Appendix A, General Design Criterion 57 for closed system isolation valves. In addition, the justification states that there is no reduction in requirements. While the former statement is somewhat true, the later statement is incorrect. There is a reduction in requirements. Based on the current TS, if two CIVs in a penetration are inoperable (loss of containment integrity), one cannot maintain an OPERABLE isolation valve in the affected penetration, thus one would either default to CTS 3.6.3 Action d, an immediate shutdown, or based on some licensee’s interpretations, default to CTS 3.0.3 or CTS 3.6.1 Action which are basically the same actions. Under the proposed TS one would have 4 hours to restore a CIV to OPERABLE status or isolate the penetration. This is a Less Restrictive (L) change which has not been justified and is not consistent with the CTS or with the requirements of the ISTS (NUREG-1431). **RAI:** Revise the submittal to maintain the current requirements with regard to two CIVs inoperable in a penetration and to be consistent with the CTS and STS. Provide any discussion and justifications as necessary.